

REMARKS

This Response is in response to the final Office Action mailed on October 26, 2010. Claims 1 and 4 are pending.

Specification Objections:

The amendments to the specification made in the September 20, 2010 Amendment are objected to for introducing new matter. Particularly, the objection states that the term “recorded” cannot be replaced with the term “reproduced”. As noted in the September 20, 2010 Amendment, the term “recorded” was replaced with the term “reproduced” in the paragraph beginning on page 11, line 4 of the present application to correct an erroneous translation from the Japanese language PCT international application (WO 2004/071083). Since the content of the international application controls the content of the national stage translation, an error in the translation of the international application cannot be new matter.

To show the clear nature of the error more specifically, Applicants note that the paragraph beginning on page 11, line 4 of the present application corresponds to the paragraph beginning on page 10, line 18 of the published Japanese language PCT application. Notably, page 10, line 20 of the published PCT application, under a correct translation, recites that “audio data is reproduced before the video data”. Applicants submit herewith a portion of the published PCT application with the relevant paragraph highlighted and with the erroneously translated term circled. Also submitted herewith is a portion of Kenkyusha's New Japanese-English Dictionary providing the English translation of the corresponding term in the Japanese language PCT application, and showing that the term is translated as “reproduced” rather than “recorded”.

Applicants also direct the Examiner, for example, to the paragraph beginning on page 9, line 3 of the attached portion of the PCT application, where the Japanese term for “reproduction” and “reproduced” are correctly translated in the corresponding paragraph beginning on page 9, line 7 of the present application. Withdrawal of this objection is requested.

§112, 1st Paragraph Rejections:

Claims 1 and 4 are rejected as failing to comply with the written description requirement. In particular, the rejection notes that the phrase “only original audio data of the one block are read out with video data not read out” in claim 1 is not described in the specification.

Applicants note that page 49, lines 18-21; page 50, lines 19-21; and Fig. 16 of the present application provide support for these features. In particular, the above portions of the present application with the arrows provided in Fig. 16 describe that data blocks are read out in the following sequence:

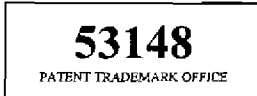
- 1) First, original audio data A1 (G10) of the main sequence is read out;
- 2) Second, the audio data B1 (G50) to Bj (G60) of the additional sequence are read out;
- 3) Third, the video data V1 (G11) of the main sequence is read out.

Thus, the video data V1 (G11) is not read out when the original audio data A1 (G10) is read out, but is read out after the audio data B1 (G50) to Bj (G60) of the additional sequence is read out.

Further, page 55, line 29-page 56, line 5 of the present application states that “recording area G10 are read out, without reading out video data in the directly following recording area G11 first”. Withdrawal of this rejection is requested.

Conclusion:

Applicants respectfully assert that the pending claims are in condition for allowance. If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney-of record, Douglas P. Mueller (Reg. No. 30,300), at (612) 455-3804.

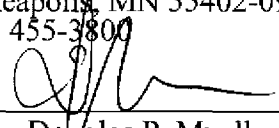


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Respectfully submitted,

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